

Panaji, 5th December, 1985 (Agrahayana 14, 1907)

SERIES I No. 36

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

#### Notification

5/3/74-PER (Vol. II)

In exercise of the powers conferred by sub-section (2) of section 9, sub-section (2) of section 12 and section 24 of the Central Civil Services (Classifica-

tion, Control and Appeal Rules), 1965, read with item (iii) of the serial No. 4 of Part III and item (iii) of Serial No. I of Part IV of the Schedule thereto, the Administrator of Goa, Daman and Diu in partial modification of the Notifications issued in this respect from time to time, hereby specifies with immediate effect, the following authorities in place of authorities specified earlier regarding Appointing, Disciplinary and Appellate authorities under the said rules for Group 'C' and 'D' posts in the Secretariat and Superintendents outside the Secretariat: —

#### SCHEDULE

Sr. No.	Description of post	Appointing Authority	Authority competent to impose penalties and which it may impose (with reference to item numbers in Rule 11)		Appellate Authority
			Authority	Penalties	
1	2	3	4	5	6
1.	Group 'C' and 'D' posts in the Secretariat and Superintendents outside the Secretariat	Joint Secretary Department of Personnel and Administrative Reforms	Joint Secretary Department of Personnel and Administrative Reforms	All	Secretary (G. A.)

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 7th November, 1985.

#### Corrigendum

1/9/74-PER (Vol. II)

In the Notification No. 1/9/74-PER (Vol. II) dated the 3rd September, 1985 published in the Official Gazette No. 24 Series I dated the 12th September, 1985 relating to recruitment to the General Central Services Group 'A' Gazetted post in the Town & Country Planning Department under Government of Goa, Daman and Diu the following corrections may be made:—

- i) In proviso to Rule 4 of the covering notification between the words "party to the

marriage" and "that there are other grounds" the word "or" shall be read as "and".

- ii) In Rule 6 of the covering notification between the words "affect reservation" and "of age limit" the sign and word, "relaxation" may be inserted.

By order and in the name of the Administrator of Goa, Daman & Diu.

N. P. Gaunekar, Under Secretary, (Personnel).

Panaji, 27th November, 1985.

Public Works and Urban Development Department  
Panaji Planning and Development Authority

Notification

Whereas by Notification No. 4/10/83-LAWD dated 5-9-85 and published in the Official Gazette No. 25 Series I dated 20-9-85 Government has published the Goa, Daman and Diu Town and Country Planning (Planning and Development Authorities) (Sixth Amendment) Rules 1985 wherein the maximum and minimum Development Charges for construction of walls, gates, roads, pipe lines, drains and any other development of linear nature that may be levied by Planning and Development Authority have been prescribed.

Now, therefore, pursuant to Section 100 of the Town and Country Planning Act 1974 and as per the above referred notification of Government of Goa, Daman and Diu following shall be the rates of Development Charges whereas the procedure for applying for Development Charges, mode of payment of Development Charges, etc. and charges for other development activities shall remain the same as notified in the Official Gazette No. 3 Series I dated 18-4-1985.

Rates of Development Charges:

The Development Charges that may be levied shall be as per the zones defined in column (1) and at the rates specified in column (2).

Zones with specific F. A. R. as per the ODP/CDP of the Planning Area	Rate per running meter, for construction of walls, gates, roads, pipe lines, drains and any other development of linear nature
(1)	(2)
2.50 and above	Rs. 2.50
2.00	Rs. 2.00
1.80	Rs. 1.80
1.20	Rs. 1.20
1.00 and below	Rs. 1.00

In case of sub-division no separate charges will be levied for development of roads, pipe lines and drains.

D. R. Bhat, Member Secretary.

Panaji, 19th November, 1985.

Tourism, Information and Transport Department

Notification

5/12/82-HD(G) Vol. II

The following notification received from the Government of India, Ministry of Shipping & Transport (Transport Wing), New Delhi, is hereby republished for general information of the public.

T. J. Faleiro, Under Secretary (STE).

Panaji, 15th October, 1985.

GOVERNMENT OF INDIA  
MINISTRY OF SHIPPING AND TRANSPORT  
(Transport Wing)

New Delhi, the 12th September, 1985

S. O. No. 668E. — In exercise of the powers conferred by sub-section 3 of section 36 of Motor Vehicles Act, 1939 the Central Government hereby accords approval to the registration of following vehicle with specifications mentioned in the Schedule appended hereto:

SCHEDULE

1. Type of Vehicle	— Truck with Vactor Jet Rodder Sewer Cleaning equipment.
2. Engine Number	— 7403418
3. Chassis Number	— 7002
4. Dimensions	— Overall width — 2.45 mts. — Overall length — 9.40 mts. — Overall height — 3.75 mts. — Front overhang — 245 cms. — Rear overhang — 196 cms.
5. Recommended loads	— Front axle load — 8.666 tonnes. — Rear axle load — 8.667 tonnes. — Third axle load — 8.667 tonnes. — Gross laden weight — 26 tonnes.
6. Owned by	— Madras Metropolitan Water Supply and Sewerage Board, Madras.

2. The relaxation is subject to the condition that operations of the trailer shall be done only sparingly and also subject to local restrictions as might be in force.

3. The operation will be with the prior approval of concerned State PWD or the Department in-charge of the roads where the vehicle is proposed to be operated and will also be on the roads and subject to such conditions as the State Government may specify for the safety of roads, bridges, culverts and with regard to safety to all road-users for which both the State PWD or the Department dealing with the concerned roads and the Police Authorities will be kept duly informed by the operator every time the operations are effected.

Sd/-

(A. P. SINH)

Jt. Secretary to the Govt. of India.  
File No. TW/TGM(46)/85.

Law Department  
Legal Affairs Branch

Notification

7/6/85-LA

The following Act which was passed by the Legislative Assembly of Goa, Daman and Diu on the 31st day of July, 1985 and assented to by the President of India, on 25/10/85 is hereby published for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting) to the Government of Goa, Daman and Diu.

Panaji, 18th November, 1985.

## The Registration (Goa, Daman and Diu Amendment) Act, 1985

(Act No. 24 of 1985)

AN

ACT

*to amend the Registration Act, 1908.*

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-sixth Year of the Republic of India as follows, namely:—

**1. Short title and commencement.**— (1) This Act may be called the Registration (Goa, Daman and Diu Amendment) Act, 1985.

(2) It shall come into force at once.

**2. Insertion of section 19 A.**— After section 19 of the Registration Act, 1908 (Central Act 16 of 1908) (hereinafter referred to as the principal Act), the following section shall be inserted, namely:—

**“19 A. Documents presented for registration to be accompanied by true copies thereof.**— (1) No document shall be accepted for registration unless it is accompanied by a true copy thereof.

(2) The true copy referred to in sub-section (1) shall be neatly handwritten, printed, typewritten, lithographed or otherwise prepared in accordance with such rules as may be made in this behalf.”

**3. Amendment of section 45.**— In section 45 of the principal Act, —

(a) in sub-section (1), for the words, letters and figure “cause the contents thereof to be copied into his Book No. 3”, the words, letters and figure “cause a true copy of the contents thereof to be made and filed in his Book No. 3” shall be substituted;

(b) in sub-section (2), for the words “copy has been made”, the words “true copy has been filed” shall be substituted.

**4. Amendment of section 46.**— In section 46 of the principal Act, in sub-section (2), —

(a) for the words “unless the will has been already copied”, the words “unless a true copy of the will has already been filed” shall be substituted;

(b) for the words, letters and figure “cause the will to be copied into his book No. 3”, the words, letters and figure “cause a true copy of the will to be made and filed in his Book No. 3” shall be substituted.

**5. Amendment of section 51.**— In section 51 of the principal Act, —

(a) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) In Book 1 shall be filed —

- (i) true copies of all documents; and
- (ii) all memoranda,

registered under sections 17, 18 and 89 which relate to immovable property, and are not wills.”;

(b) in sub-section (3), for the words “entered all documents”, the words “filed true copies of all documents” shall be substituted.

**6. Amendment of section 52.**— In section 52 of the principal Act, for clause (c) of sub-section (1), the following clause shall be substituted, namely:—

“(c) subject to the provisions contained in section 62, where a document is admitted to registration, a true copy thereof shall, without unnecessary delay, be filed in the appropriate book according to the order of its admission.”

**7. Amendment of section 54.**— In section 54 of the principal Act, for the words “copied or filed a memorandum of,”, the words “filed a true copy or a memorandum of” shall be substituted.

**8. Amendment of section 55.**— In section 55 of the principal Act, —

(a) in sub-section (2), for the words “document entered or memorandum filed”, the words “document of which a true copy or a memorandum, is filed” shall be substituted;

(b) in sub-section (4), for the words “authority entered”, the words “authority of which a true copy is filed” shall be substituted;

(c) in sub-section (5), for the words “document entered”, the words “document of which a true copy is filed” shall be substituted.

**9. Amendment of section 60.**— In section 60 of the principal Act, in sub-section (1), for the words “the document has been copied”, the words “the true copy of the document has been filed” shall be substituted.

**10. Amendment of section 61.**— In section 61 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The endorsements and certificate referred to and mentioned in sections 59 and 60 shall thereupon be copied into the true copy of the document presented alongwith the document, and the true copy of the map or plan (if any) mentioned in section 21 shall also be filed along with the true copy of the document.”

**11. Amendment of section 62.**— In section 62 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) When a document is presented for registration under section 19, the translation together with the true copy of the document shall be filed in the appropriate book.”

**12. Amendment of section 81.**— In section 81 of the principal Act, —

(a) for the words “or registering of any document”, the words “registering, or filing a true copy of, any document” shall be substituted;

(b) for the words “or registers such document”, the words “registers or files a true copy of, such document” shall be substituted.

**13. Amendment of section 82.**— In clause (b) of section 82 of the principal Act, for the words and figures “section 19 or section 21”, the words “this Act or the rules made thereunder” shall be substituted.

14. **Insertion of section 89 A.** — After section 89 of the principal Act, the following section shall be inserted, namely: —

**“89A. Power to make rules for filing of true copies of documents.** — (1) The State Government may make rules for all purposes connected with the filing of true copies of documents in the appropriate books under this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for, —

- (a) the manner in which true copies of documents shall be prepared; and
- (b) the manner of filing and pasting of such copies;

(3) All rules made under this section shall be published in the Official Gazette and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(4) Every rule made under this section shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.

M. RAGHUCHANDER

Secretariat,  
Panaji-Goa.

Law Secretary to the Government of  
Goa, Daman and Diu, Law Department (Legal Affairs Branch).

Dated:- 18th November, 1985.

#### Notification

LD/8/3/85-L.A.

The Terrorist Affected Areas (Special Courts) Amendment Act, 1985 (No. 45 of 1985) which was passed by Parliament and received assent of the President of India on the 26th August, 1985 and published in the Gazette of India, Extraordinary, Part II, Section 1 dated the 26th August, 1985, is hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting).

Panaji, 11th October, 1985.

#### MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 26th August, 1985/Bhadra 4,  
1907 (Saka)

The following Act of Parliament received the assent of the President on the 26th August, 1985, and is hereby published for general information: —

#### The Terrorist Affected Areas (Special Courts) Amendment Act, 1985

No. 45 of 1985

[26th August, 1985]

An Act to amend the Terrorist Affected Areas (Special Courts) Act, 1984

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows: —

1. **Short title.** — This Act may be called the Terrorist Affected Areas (Special Courts) Amendment Act, 1985.

2. **Insertion of new section 15A.** — In the Terrorist Affected Areas (Special Courts) Act, 1984 (hereinafter referred to as the principal Act), after section 15, the following section shall be inserted, namely: —

**“15A. Abolition of certain Special Courts.** — Where the area comprising a judicial zone has ceased to be a terrorist affected area and no cases are pending before a Special Court or an Additional Special Court established in relation to such judicial zone, the Central Government may, by notification in the Official Gazette, abolish such Special Court or Additional Special Court.”.

3. **Substitution of the Schedule.** — For the Schedule to the principal Act, the following Schedule shall be substituted, namely: —

#### “THE SCHEDULE

[See section 2(f)]

1. Offences under the following provisions of the Indian Penal Code: — 45 of 1860.  
sections 121, 121A, 122 and 123.

2. Offences under the following provisions of the Anti-Hijacking Act, 1982: — 65 of 1982.  
sections 4 and 5.

Note 1. — The offence of criminal conspiracy or attempt to commit, or abetment of, an offence specified in this Schedule shall be deemed to be a scheduled offence.

Note 2. — The commission of an offence specified in this Schedule by any member of an unlawful assembly shall be deemed to be the commission of that scheduled offence by every other member of the unlawful assembly.”.

4. **Special Courts to cease to exercise jurisdiction with respect to certain cases and transfer of pending cases.** — (1) Notwithstanding anything contained in section 7 of the principal Act but subject to the provisions of sub-section (2), after the commencement of this Act, a Special Court shall not take cognizance of, or have or exercise any jurisdiction with respect to, any offence other than an offence mentioned in or connected with an offence mentioned in the Schedule to the principal Act as substituted by section 3 of this Act.

(2) Every case which is pending immediately before the commencement of this Act before any Special Court and which is in respect of an offence other than an offence mentioned in, or connected with an offence mentioned in, the Schedule to the principal Act as substituted by section 3 of this Act shall, as soon as may be after such commencement, be transferred to a court which would have had jurisdiction but for the enactment of the principal Act to take cognizance thereof and the court to which the case is so transferred may proceed with the case from the stage at which it was at the time of such transfer as if it had originally taken cognizance of the case and the case was pending with it at that time.

(3) This section shall be read as one with the principal Act and words and expressions used in this section shall be construed accordingly.

R. V. S. PERI SASTRI,  
Secy. to the Govt. of India.

#### Notification

LD/8/3/85-L.A.B.

The Payment of Bonus (Second Amendment) Ordinance, 1985 (No. 8 of 1985) promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 7th November, 1985 is hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting) to the Government of Goa, Daman and Diu.

Panaji, 21st November, 1985.

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
(Legislative Department)

New Delhi, the 7th November, 1985/Kartika 16,  
1907 (Saka)

THE PAYMENT OF BONUS (SECOND  
AMENDMENT) ORDINANCE, 1985

No. 8 of 1985

Promulgated by the President in the Thirty-sixth  
Year of the Republic of India.

An Ordinance further to amend the Payment of  
Bonus Act, 1965.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution and of all other powers enabling him in that behalf, the President is pleased to promulgate the following Ordinance:—

1. *Short title, commencement and application.*—

(1) This Ordinance may be called the Payment of Bonus (Second Amendment) Ordinance, 1985.

(2) It shall come into force at once.

(3) The amendments made by this Ordinance in the Payment of Bonus Act, 1965 (hereinafter referred to as the principal Act) shall, in relation to a factory or other establishment to which the principal Act applies, have effect and be deemed always to have had effect in respect of the accounting year commencing on any day in the year 1984 and in respect of every subsequent accounting year.

*Explanation.*—The words and expressions which are used in this sub-section and which are defined in the principal Act shall have the meanings respectively assigned to them in the principal Act.

2. *Amendment of section 2.*—In section 2 of the principal Act, in clause (13), for the words “one thousand and six hundred rupees”, the words “two thousand and five hundred rupees” shall be substituted.

3. *Insertion of new section 12.*—In the principal Act, after section 11, the following section shall be inserted, namely:—

“12. *Calculation of bonus with respect to certain employees.*—Where the salary or wage of an employee exceeds one thousand and six hundred rupees per mensem, the bonus payable to such employee under section 10 or as the case may be, under section 11, shall be calculated as if his salary or wage were one thousand and six hundred rupees per mensem.”

ZAIL SINGH,  
President.

R. V. S. PERI SASTRI,  
Secy. to the Govt. of India.